IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 9763 of 2007(K)

PETITIONER:

DR.P.N.SURESH KUMAR,
S/O P.G.NARAYANAN EZHUTHACHAN, AGED 40 YEARS,
ASSISTANT PROFESSOR OF PSYCHIATRY,
HEALTH AND FAMILY WELFARE DEPARTMENT, RESIDING AT
MALAPARAMBU HOUSING COLONY, CALICUT,PIN-673009.

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENTS:

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1. THE DIRECTOR OF MEDICAL EDUCATION,
THIRUVANANTHAPURAM.

2. SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.9763 OF 2007

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Dated this the 13th day of April, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner was Assistant Professor of Psychiatry in Medical Education Service. He was on deputation to the Institute of Mental Health and Neuro Sciences, Kozhikode. By Ext.P5 dated 31.10.2006 he came to be reverted to the parent department with a direction to report before the first respondent for suitable posting. Ext.P6 shows that it is a report of transfer of charge. Thereafter petitioner filed Ext.P7 representation before the Director seeking appropriate posting preferably in Kozhikode District. By Ext.P8 petitioner requested that the period from reporting at the office of the Director to the date of posting be treated as on duty.

2. The prayers in the writ petition are for a direction to give suitable posting to the petitioner preferably in Kozhikode District, at his home station and for a direction to give the entire salary arrears treating the period from 18.11.2006 to the date of giving posting as duty for all purposes. The further prayer is for a direction to take all

necessary steps for honouring Ext.P9 bill by the State Treasury. There is also a prayer for a direction to issue a certificate of officiation for the years 2005 and 2006 to claim annual increment.

3. Heard Government Pleader also. Government Pleader on instructions submits that no decision has been taken by the Government in the matter. He also submits that it is for the Government to take a decision in the matter. In such circumstances I feel that a time limit should be fixed for the Government to take a decision.

Leaving open the contentions of the petitioner, the writ petition is disposed of directing the second respondent to consider and take a decision in the matter of posting the petitioner in accordance with law within a period of three weeks from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.